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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEW JERSEY**

ZACHARY GALICKI, JOY GALICKI, ELI  
GALICKI, ROBERT ARNOLD, KIM  
JOSCELYN, ELIZABETH PSALTOS,  
individually and on behalf of all others  
similarly situated,

**Plaintiffs,**

STATE OF NEW JERSEY, GOVERNOR  
CHRISTOPHER  
JAMES CHRISTIE, BRIDGET ANNE  
KELLY, Individually  
and as an Agent, Servant and Employee of the  
State of New Jersey, PORT AUTHORITY OF  
NEW  
YORK & NEW JERSEY, BILL BARONI,  
Individually  
and as an Agent, Servant and Employee of the  
Port Authority of New York & New Jersey,  
DAVID  
WILDSTEIN, Individually and as an Agent,  
Servant  
And Employee of the Port Authority of New  
York &  
New Jersey, ABC CORP 1-10 and JOHN DOE  
1-10  
(the last two being fictitious designations)

**Defendants.**

CIVIL ACTION NO. \_\_\_\_\_

**CLASS ACTION COMPLAINT**

**JURY TRIAL DEMAND**

Plaintiffs, ZACHARY GALICKI, JOY GALICKI, ELI GALICKI, ROBERT ARNOLD, KIM JOSCELYN, ELIZABETH PSALTOS, individually and on behalf of all others similarly situated (referred herein collectively as “Plaintiffs”), by way of Complaint against the defendants, STATE OF NEW JERSEY, GOVERNOR CHRISTOPHER JAMES CHRISTIE, BRIDGET ANNE KELLY, Individually and as an Agent, Servant and Employee of the State of New Jersey, PORT AUTHORITY OF NEW YORK & NEW JERSEY, BILL BARONI, Individually and as an Agent, Servant and Employee of the Port Authority of New York & New Jersey, DAVID WILDSTEIN, Individually and as an Agent, Servant and Employee of the Port Authority of New York & New Jersey, ABC CORP 1-10 and JOHN DOE 1-10 (the last two being fictitious designations) bring this action pursuant to Rules 23(a) and (b)(2) and (b)(3) of the Federal Rules of Civil Procedure, the Fourteenth Amendment of the United States Constitution, and the Privileges and Immunities Clause of the United States Constitution, and allege as follows::

### **FACTUAL OVERVIEW**

1. The Individual Plaintiffs bring this action individually and on behalf of other individuals similarly situated seeking redress for the purposeful, intentional, “callously indifferent” (which phrase was used by Governor CHRIS CHRISTIE at his January 9, 2014 press conference when describing the actions of Defendants BRIDGET ANNE KELLY, DAVID WILDSTEIN, BILL BARONI, and/or other individuals involved in the below described political scheme) willful, wanton, reckless and/or negligent acts of the aforesaid Defendants on or about September 9, 2013 through September 13, 2013 in orchestrating, conspiring, and/or implementing a political agenda through acts of official misconduct would back up traffic and clog local roads in and/or common scheme to close lanes leading to the dedicated toll booths for to the George Washington Bridge which political agenda and/or common scheme was designed and/or intended to cause extreme and/or heavy traffic delays heading in the Borough of Fort Lee, New Jersey and surrounding areas in Northern New Jersey Area to New York City as well as to cause the residents and businesses in Fort Lee, New Jersey hardship.

2. Upon information and belief, the aforesaid Defendants conspired to and did commit acts of official misconduct by *inter alia*; orchestrating the lane closures to and on the George Washington Bridge for political purposes including but not limited to retribution and retaliation against Democratic Mayor of Fort Lee, Mark Sokolich for failing to endorse Defendant GOVERNOR CHRIS CHRISTIE'S campaign for re-election as Governor of New Jersey.
3. The Defendant's knowing of their official misconduct then conspired to cover-up their action by publicly stating that a fictional traffic study was the reason for the toll booth closures.

### **JURISDICTION AND VENUE**

1. The United States District Court for the District of New Jersey has jurisdiction over the subject matter of this action under: (a) the Class Action Fairness Act of 2005, 28 U.S.C. §1332; (b) and because Defendants' official State action caused Plaintiffs the denial of equal protection under the law and deprived this class of people their right to life, liberty and property in violation of the Fourteenth Amendment to the United States Constitution.

### **THE PARTIES**

1. At all times relevant hereto, Plaintiff ZACHARY GALICKI, is a citizen of the United States residing in Fort Lee, Bergen County, New Jersey, and works in the City of New York and State of New York.
2. At all times relevant hereto, Plaintiff JOY GALICKI, is a citizen of the United States residing in Fort Lee, Bergen County, New Jersey, and works in the City of New York and State of New York.
3. At all times relevant hereto, Plaintiff ELI GALICKI, is a citizen of the United States residing in Fort Lee, Bergen County, New Jersey, and works in the City of New York and State of New York.

4. At all times relevant hereto, Plaintiff ROBERT ARNOLD, is a citizen of the United States residing in Leonia, Bergen County, New Jersey, and works in the City of New York and State of New York

5. At all times relevant hereto, Plaintiff KIM JOSCELYN, is a citizen of the United States residing in Edgewater, Bergen County, New Jersey, was an hourly employee of the Law Offices Rosemarie Arnold, a Fort Lee New Jersey business.

6. At all times relevant hereto, Plaintiff ELIZABETH PSALTOS, is a citizen of the United States residing in Fort Lee, Bergen County, New Jersey, and an hourly employee of the Law Offices Rosemarie Arnold, a Fort Lee New Jersey business.

7. At all times relevant hereto, Defendant THE STATE OF NEW JERSEY is a duly constituted governmental entity organized in accordance with and under the Constitution of the United States of America and its laws.

8. At all times relevant hereto, Defendant, PORT AUTHORITY OF NEW YORK & NEW JERSEY is an independent and duly constituted entity created in accordance with a bi-state compact entered into between the States of New York and New Jersey which was in sole and exclusive control of the toll plaza and toll booths and lanes heading to New York City, located on the New Jersey side of the George Washington Bridge.

9. At all times relevant hereto, Defendant GOVERNOR CHRISTOPHER JAMES "CHRIS" CHRISTIE (hereinafter "GOVERNOR CHRISTIE"), is the Governor of Defendant THE STATE OF NEW JERSEY.

10. At all times relevant hereto, Defendant BRIDGET ANNE KELLY was the Deputy Chief of Staff to Defendant GOVERNOR CHRISTIE'S office, and upon information and belief, was a childhood friend and a close personal friend of Defendant GOVERNOR CHRISTIE.

11. At all times relevant hereto, Defendant DAVID WILDSTEIN was an official and/or namely the Director of Interstate Capital Projects for Defendant THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY, and upon information and belief, was a childhood friend and a close personal friend of Defendant GOVERNOR CHRISTIE and appointed to his position by Defendant GOVERNOR CHRISTIE.

12. At all times relevant hereto, Defendant BILL BARONI was an official and/or namely the Deputy Director of the Defendant THE PORT AUTHORITY OF NEW YORK AND NEW

JERSEY, and upon information and belief, was a close personal friend of Defendant GOVERNOR CHRISTIE.

13. The "Plaintiff Class" is defined as and consists of all individuals who were residents of Fort Lee, New Jersey who were late for and/or missed work on or about September 9, 2013 through September 13, 2013, as a result of the clogged local roads due to extreme and/or heavy traffic in and leading to Fort Lee, New Jersey, and on the George Washington Bridge and were caused to suffer physical, emotional and/or economic damages due to the same.

**SPECIFIC FACTUAL ALLEGATIONS AS TO PLAINTIFF (list each one)**

1. As to Plaintiffs, ZACHARY GALICKI, JOY GALICKI, ELI GALICKI and ROBERT ARNOLD, all are citizens and residents of Fort Lee, New Jersey who work in New York City and commute daily by driving across the George Washington Bridge from Fort Lee to Manhattan each and every weekday morning.
2. On September 9 through September 13, 2013, each Plaintiff was attempting to commute to New York City as they normally would do.
3. As a direct result of the Defendant's official misconduct, the local Fort Lee roads became clogged with traffic, causing each Plaintiff to be trapped on local roads for a long period of time and eventually arriving to work later than they would have.
4. Each Plaintiff was deprived of life, liberty and property as a result of the Defendant's action.
5. As to the Plaintiffs, KIM JOSCELYN and ELIZABETH PSALTOS, both are employed in Fort Lee, New Jersey and intended to work September 9 through September 13, 2013. Both were late for work on one or more of those days, causing them to lose wages.
6. Both Plaintiffs became trapped on local Fort Lee roads that were clogged with traffic that had backed up from the closing of the George Washington Bridge lanes leading from Fort Lee to the dedicated toll booths.
7. Both Plaintiffs were deprived of their life, liberty and property for several hours, were late for work and were docked pay.

**FRCP 23 CLASS CERTIFICATION IS APPROPRIATE**

1. The “Plaintiff Class” is defined as those individuals and business owners who reside, work or own businesses in Northern New Jersey and who were caused to sustain injury, either physical or psychological and/or who were caused to sustain economic damages and loss of liberty as the result of the conduct of the Defendant’s herein.
2. The Class Action consists of thousands of persons located throughout the State of New Jersey thus, the members of the Class are so numerous that joinder of all Class members is impracticable. The exact number of Class members is not presently known to plaintiffs, but includes any and all individuals and business owners who were caused to sustain injury, either physical or psychological and/or who were caused to sustain economic damages as the result of the conduct of the Defendants herein on or about September 9, 2013 through September 13, 2013, as a result of the extreme and/or heavy traffic and clogged roads in Fort Lee, New Jersey.
3. Plaintiffs will fairly and adequately protect the interests of the members of the Class and have retained counsel competent and experienced in actions against governments and the State of New Jersey. Plaintiffs have no interests that are adverse or antagonistic to those of the Class.
4. A class action is superior to other available methods for the fair and efficient adjudication of this controversy. Because of the damages suffered by many individuals Class members may be relatively small, the expense and burden of individual litigation make it virtually impossible for the Class members to individually seek redress for the wrongful conduct alleged herein.
5. Common questions of law and fact exist as to all members of the Class and predominate over any questions of law and fact common to the Class are:

**THE CLAIMS OF THE PLAINTIFFS AND THE CLASS**

**COUNT 1**

1. Plaintiffs repeat each and every allegation in the Complaint as was previously set forth, as if set forth herein at length.

2. At all times relevant hereto, Plaintiffs and the Plaintiffs Class had the constitutional right to substantive due process pursuant to the Fourteenth Amendment of the United States Constitution.

3. At all times relevant hereto, Defendants the STATE OF NEW JERSEY, GOVERNOR CHRISTIE, BRIDGET ANNE KELLY, the PORT AUTHORITY OF NEW YORK AND NEW JERSEY, DAVID WILDSTEIN, and BILL BARONI, by and through their willful, wanton, arbitrary and egregious official misconduct and misusing their official positions and authority in conspiring to, orchestrating, and/or implementing their political agenda and/or common scheme to close lanes leading to the dedicated toll booths leading to the George Washington Bridge in retribution and retaliation against Democratic Mayor of Fort Lee for failing to endorse Defendant GOVERNOR CHRISTIE's 2013 re-election bid, which action shocks the conscience, deprived Plaintiff and the Plaintiff class of their liberty and property in violation of their Fourteenth Amendment rights to substantive due process.

4. As a proximate cause and reasonably foreseeable result of the above conduct of Defendants aforesaid, Plaintiffs and the Plaintiff Class were caused to be trapped on the roadways located in the Borough of Fort Lee for a considerable time period leading to being late for work and/or miss work from September 9, 2013 through September 13, 2013, and suffered other economic damages.

**WHEREFORE**, Plaintiffs ZACHARY GALICKI, JOY GALICKI, ELI GALICKI, ROBERT ARNOLD, KIM JOSCELYN, ELIZABETH PSALTOS, and the Plaintiff Class demand judgment against the aforesaid Defendants jointly, severally and/or jointly and severally, for compensatory damages, punitive damages, attorney fees and for any and all relief available, with interests and costs of suit.

## **COUNT 2**

1. Plaintiffs repeat each and every allegation in the Complaint as was previously set forth, as if set forth herein at length.

2. At all times relevant hereto, Plaintiffs and the Plaintiff Class were entitled to all of the Privileges and Immunities of Citizens in the State of New Jersey pursuant to the Fourteenth Amendment of the United States Constitution.



3. Specifically, Plaintiffs and the Plaintiff Class were entitled to the right of freedom of movement or the “right of free ingress into other States, and egress from them.”

4. At all times relevant hereto, Defendants the STATE OF NEW JERSEY, GOVERNOR CHRISTIE, BRIDGET ANNE KELLY, the PORT AUTHORITY OF NEW YORK AND NEW JERSEY, DAVID WILDSTEIN, and BILL BARONI, by and through their willful, wanton, arbitrary and egregious official conduct and misusing their official positions and authority in conspiring to, orchestrating, and/or implementing their political agenda and/or common scheme to close lanes leading to the dedicated toll booths leading to the George Washington Bridge in retribution against Democratic Mayor of Fort Lee for failing to endorse Defendant GOVERNOR CHRISTIE’s 2013 re-election bid, which action shocks the conscience, unlawfully detained Plaintiffs and the Plaintiff Class and/or prevented them from traveling to and from New Jersey and New York, in violation of their constitutional right to the freedom of movement pursuant to the Privileges and Immunities Clause of the Fourteenth Amendment to the United States Constitution.

5. As a proximate cause and reasonably foreseeable result of the above conduct of Defendants aforesaid, Plaintiffs and the Plaintiff Class were caused to be trapped on the roadways located in the Borough of Fort Lee for a considerable time period leading to being late for work and/or miss work from September 9, 2013 through September 13, 2013, and suffered economic damages.

**WHEREFORE**, Plaintiffs ZACHARY GALICKI, JOY GALICKI, ELI GALICKI, ROBERT ARNOLD, KIM JOSCELYN, ELIZABETH PSALTOS, and the Plaintiff Class demand judgment against the aforesaid Defendants jointly, severally and/or jointly and severally, for compensatory damages, punitive damages, attorney fees and for any and all relief available, with interests and costs of suit.

### **COUNT 3**

1. Plaintiff repeats each and every allegation in the Complaint as was previously set forth, as if set forth herein at length.

2. At all times relevant hereto, Defendants the STATE OF NEW JERSEY, GOVERNOR CHRISTIE, the PORT AUTHORITY OF NEW YORK AND NEW JERSEY, owed a duty to



Plaintiffs and the Plaintiff Class to properly hire and/or retain employees who were fit and competent to do their jobs.

3. At all times relevant hereto, Defendants aforesaid owed a further duty to Plaintiffs and the Plaintiff Class to properly train and/or supervise their employees.

4. At all times relevant hereto, Defendants aforesaid breached their duties to Plaintiffs the Plaintiff Class by negligently and/or carelessly and/or recklessly and/or intentionally and/or with “callous indifference” and/or with malice and/or wanton and willful disregard, hired and/or retained unfit and/or incompetent employees.

5. At all times relevant hereto, Defendants aforesaid breached their duties to Plaintiffs and the Plaintiffs Class by negligently and/or carelessly and/or recklessly and/or intentionally and/or with wanton and willful disregard , failed to properly train and/or supervise their employees.

6. The Defendants aforesaid knew or should have known of the incompetence and/or unfitness of their employees, and knew or should have known that by hiring and/or retaining unfit and/or incompetent employees, that harm would befall the Plaintiffs and the Plaintiff Class.

7. The Defendants aforesaid had a duty to warn Plaintiffs and the Plaintiff Class of the incompetence and/or unfitness and/or lack of training and/or supervision employees but failed to do so.

8. As a proximate cause, and reasonably foreseeable result of the above conduct of Defendants aforesaid, Plaintiffs and the Plaintiff Class were caused to be to be trapped on the roadways located in the Borough of Fort Lee for a considerable time period leading to being late for work and/or miss work from September 9, 2013 through September 13, 2013, and suffered economic damages.

**WHEREFORE**, Plaintiffs ZACHARY GALICKI, JOY GALICKI, ELI GALICKI, ROBERT ARNOLD, KIM JOSCELYN, ELIZABETH PSALTOS, and the Plaintiff Class demand judgment against the aforesaid Defendants jointly, severally and/or jointly and severally, for compensatory damages, punitive damages, attorney fees and for any and all relief available, with interests and costs of suit.

#### **COUNT 4**

1. Plaintiff repeats each and every allegation in the Complaint as was previously set forth, as if set forth herein at length.

2. At all times relevant hereto, Defendants the STATE OF NEW JERSEY, GOVERNOR CHRISTIE, BRIDGET ANNE KELLY, the PORT AUTHORITY OF NEW YORK AND NEW JERSEY, DAVID WILDSTEIN, and/or BILL BARONI owed a duty to Plaintiff and Plaintiffs Class to abstain from purposely and intentionally using their official positions and/or authority to conduct official misconduct in conspiring to, orchestrating, and/or implementing their political agenda and/or common scheme to close lanes leading to the dedicated toll booths leading to the George Washington Bridge causing traffic to back up and clog all roads in the Borough of Fort Lee in retribution against Democratic Mayor of Fort Lee for failing to endorse Defendant GOVERNOR CHRISTIE's 2013 re-election bid.

3. At all times relevant hereto, Defendant GOVERNOR CHRISTIE knew or reasonably should have known that Defendants the STATE OF NEW JERSEY, THE PORT AUTHORITY OF NEW JERSEY, BRIDGET ANNE KELLY, DAVID WILDSTEIN, and/or BILL BARONI were willfully and wantonly conspiring and orchestrating a political agenda and/or common scheme on his behalf or on behalf of his campaign to close dedicated lanes leading to the George Washington Bridge in retribution against Democratic Mayor of Fort Lee for failing to endorse Defendant GOVERNOR CHRISTIE's 2013 re-election bid.

4. At all times relevant hereto, Defendants the STATE OF NEW JERSEY, GOVERNOR CHRISTIE, BRIDGET ANNE KELLY, the PORT AUTHORITY OF NEW YORK AND NEW JERSEY, DAVID WILDSTEIN, and/or BILL BARONI breached their duty to Plaintiff and Plaintiffs Class to abstain from intentionally using their official positions and/or authority to conduct official misconduct by conspiring to, orchestrating, and/or implementing their political agenda and/or common scheme to close lanes to the George Washington Bridge in retribution and retaliation against Democratic Mayor of Fort Lee for failing to endorse Defendant GOVERNOR CHRISTIE's 2013 re-election bid.

5. As a proximate cause and reasonably foreseeable result of the above conduct of Defendants aforesaid, Plaintiffs and the Plaintiff Class were caused to be to be trapped on the roadways located in the Borough of Fort Lee for a considerable time period leading to being late for work and/or miss work from September 9, 2013 through September 13, 2013, and suffered economic damages.

**WHEREFORE**, Plaintiffs ZACHARY GALICKI, JOY GALICKI, ELI GALICKI, ROBERT ARNOLD, KIM JOSCELYN, ELIZABETH PSALTOS, and the Plaintiff Class

demand judgment against the aforesaid Defendants jointly, severally and/or jointly and severally, for compensatory damages, punitive damages, attorney fees and for any and all relief available, with interests and costs of suit.

**DEMAND FOR JURY TRIAL**

Plaintiffs hereby demand a trial by jury on all claims and issues so triable.

LAW OFFICES ROSEMARIE ARNOLD

Attorneys for Plaintiffs

By: /s/ ROSEMARIE ARNOLD

ROSEMARIE ARNOLD

DATED: January 9, 2014